

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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GARDEN CITY BOXING CLUB, INC.

Plaintiff

Index#: CV 07-4789

-against-

NP JUNIOR, INC.  
D/b/a CAFÉ NOVITA BAR  
and NICK PERRIELLO  
and NICHOLAS PERRIELLO  
Defendant

AMENDED  
PLAINTIFF'S INITIAL  
DISCLOSURE PURSUANT TO  
FED R.CIV.p. 26(A)(1) OF  
INTERROGATORIES

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Pursuant to the requirement of Federal Rule of Civil  
Procedure 26, Garden City Boxing club, Inc. Plaintiff in the  
above-titled action, makes the following disclosures by and  
through its undersigned counsel:

1. Initial Disclosures

(A) The identity of each individual likely to have  
discoverable information relevant to disputed facts alleged with  
particularity in the Complaint is as follows:

(1) Garden City Boxing Club, Inc. c/o Thomas P. Riley,  
P.C., First Library Square, 1114 Fremont Avenue, South Pasadena,  
CA 91030-3227; having knowledge as to the unauthorized  
publication and use of the telecast of Oscar De La Hoya and Felix  
Strum on June 5, 2004 at the NP Junior, Inc..

(2) NP Junior, Inc. d/b/a Café Novita Bar, and Nick  
Perriello, and Nicholas Perriello("Defendant"), 93 Mamaroneck  
Avenue, White Plains, NY 10601; knowledge as to the information

contained in and relating to the unauthorized publication and use of the telecast of Oscar De La Hoya and Felix Strum on June 5, 2004 at the NP Junior, Inc.

B) All documents, data compilations, and tangible things that are in possession, custody, or control of Garden City Boxing Club, Inc., may use to support its claims and/or defenses include the following:

- (1) Copy of investigators report;
- (2) Responses to discovery;
- (3) Deposition testimony, if any;
- (4) any other relevant document not yet discovered by Plaintiff which would be relevant to Plaintiff's case.

The documents are located or will be located at the offices of Thomas P. Riley, PC, First Library Square, 1114 Fremont Avenue, South Pasadena, CA 91030-3227 and Paul J. Hooten & Associates, PLLC, 5505 Nesconset Hwy., Suite 203, Mt. Sinai, New York 11766/ There may be other documents that may be relevant that are not yet known which may be used to support the claims and/or defenses of Garden City Boxing Club, Inc..

( C ) Damages to Plaintiff arising from the Defendant's unauthorized use of the telecast of Oscar De La Hoya and Felix Strum on June 5, 2004 at the NP Junior, Inc. d/b/a Café Novita Bar, Nick Perriello and Nicholas Perriello and attorney fees and costs.

(D) Fed.R.Civ. P. 26 (a) (1) (D) does not apply to this matter.

Date: July 22, 2008

Respectfully submitted,

/s/ Paul J. Hooten  
PAUL J. HOOTEN & ASSOCIATES  
ATTORNEY FOR PLAINTIFF  
5505 Nesconset Hwy., Suite 203  
Mt. Sinai, New York 11766  
(631) 331-0547

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Defendants,

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**CERTIFICATE OF SERVICE**

I certify that a copy of the Amended Plaintiff'S Initial Disclosure Pursuant To Fed  
R.Civ.P 26(a)(1) Of Interrogatories was sent via the U.S. Postal Service within the State of New  
York, First Class Mail addressed to the following on July 22, 2008:

To: Richard B. Herman, Esquire  
300 Park Avenue, Suite 1700  
New York, NY 10022

By: /s/ Lucille Eichler  
Lucille Eichler  
Paul J. Hooten & Associates  
5505 Nesconset Highway, Suite 203  
Mt. Sinai, NY 11766